

Paper No. 1106
Disposes of
Paper No. 1101

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
SITTING AT TOKYO, JAPAN

Case No. I

THE UNITED STATES OF AMERICA, et al) ORDER
) GRANTING THE WITHDRAWAL
- vs -) FROM THE FILES OF
) THE TRIBUNAL OF
) EXHIBIT NO. 2589
ARAKI, Sadao, et al) FOR IDENTIFICATION ONLY

This matter coming on to be heard on this 13th day of August, 1947, before the Honorable Sir William Webb, President of the Tribunal, upon the application of Shinji Somiya, counsel for the accused OKA, Takazumi, for an order of the Tribunal granting leave to withdraw from the files of the Tribunal the original document comprising Court Exhibit No. 2589, heretofore presented and marked for identification only, and from which document excerpts have been offered and received in evidence and identified as Court Exhibits Nos. 2590, 2591, 2592, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2602, 2603, 2604, 2605, 2607, 2608 and 2609 respectively, which said original document, to wit: Court Exhibit No. 2589 for Identification only, is more particularly described as follows:

A book printed in the Japanese language and entitled "Sharing Our Fate" (Dosei Kyoshi) edited by the North China Expeditionary Force, Intelligence Section, Japanese Army,

said withdrawal of the original document being for the purpose of returning the same forthwith to the source from which it was obtained, to wit, First Demobilization Bureau of the Japanese Government in Tokyo, Japan; and

It appearing to the Tribunal that the withdrawal of this document, Court Exhibit No. 2589 for Identification Only, as requested, will in nowise prejudice the rights of the Prosecution or the Accused, or any of them, and no substantial injustice will result thereby to the said Prosecution or the Accused, and it appearing further to the Tribunal that the Prosecution has consented to the granting of this application and the withdrawal of said exhibit, and the Tribunal having heard the statements of counsel and being fully advised in the premises, it is

ORDERED: That said application be and hereby is granted as prayed; and it is further

ORDERED: That said Court Exhibit No. 2589 for Identification Only be withdrawn from the files of the Tribunal forthwith and returned to the source from which it was obtained, under the express term and condition, however, that said document shall be returned to the Tribunal upon request in the event either the Tribunal or the Prosecution or the Defense should desire it for the purpose of this trial; and it is further

ORDERED: That excerpts from Court Exhibit No. 2589 for Identification Only, to wit: Court Exhibits Nos. 2590, 2591, 2592, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2602, 2603, 2604, 2605, 2607, 2608 and 2609 respectively, shall remain in the files and records of the Tribunal, and that this order in no respect affects their present status.

BY THE TRIBUNAL:

(signed) W. F. Webb
PRESIDENT